

SECTION 5: DELEGATION IMPLEMENTATION PLAN

Delegation of AMOC approval to the TCH structural DER's is by far the most significant change recommended by the team. This recommendation, if implemented, is new to the applicants, TCH DER's, ACO's and the PMI's. Therefore, an implementation plan designed to ensure a successful transition, reduce potential confusion, and most expeditiously achieve the team's objective of reducing the number of AMOC's were needed.

The team believes that issuance of a Notice describing the new delegation policy and the implementation of that policy is essential. In addition, the guidance material for the PMI's should also be released prior to implementation of this new policy. The Draft Notice and the Draft guidance material are included in Appendices 2 and 3 respectively.

The implementation of the process enhancements recommendations are not time critical and are rather simple to implement. The team has developed the appropriate language changes to implement some of the process enhancement recommendations involving the future AD's.

The issues related to the expansion of TCH DER's authority to approve certain AMOCs are more involved and complex. The team recommends the following implementation plan:

The authorization for a TCH structural DER to approve general deviations or alternative configurations for AD required repairs and modifications shall be in a letter from the cognizant ACO manager to each TCH DER determined to be qualified to make such findings. Specifics of the delegation process shall be provided in a letter from the cognizant ACO manager to the TCH.

The letter to the TCH DERs should include or specify the following:

1. A listing of those ADs for which the FAA has determined that the DER is authorized to make findings (i.e. those ADs that the FAA has determined were intended to restore the airplane to compliance with the airplane type certification basis or other defined airworthiness standard).
2. A statement that the DER is authorized to make these findings for specified models of airplanes for future ADs which contain a statement allowing TCH DER's approval of certain AMOCs.
3. An identification of the standards to be applied for the DER to find compliance and the methods for showing compliance that would be acceptable to the FAA.
4. A statement that these approvals must be granted in accordance with the process detailed in the letter to the TCH (as described below).

The letter to the TCH should include or specify the following:

1. A description of how the ACO will administer oversight and monitoring and of any separate reporting requirements associated with this authorization.
2. A statement that the ACO has the authority to rescind any DER approval that is granted in accordance with this delegation and found to be inappropriate; however, this would be done only after consultation with the operator of the affected airplane and in consideration of the operator's needs.
3. A statement that the authority of individual DERs regarding particular ADs may be limited by subsequent letter to the individual DER.

The listing of ADs should be developed in consideration of operator and manufacturer inputs with priority placed on those ADs that have resulted in the most AMOC requests. The list of ADs may be revised as necessary to include other ADs or to remove ADs, at the ACO's discretion.

In order to standardize the approval process and to ensure recognition that the DER was properly authorized to make such findings, the following minimum standards should be imposed regardless of which ACO grants the authority. The approvals by the DERs must be executed on FAA form 8110-3 and must specify the following:

- 1) Description of AMOC including the nature of the deviation.
- 2) AD number and the specific paragraph for which AMOC approval is granted.
- 3) That the approval meets the applicable sections of the airplane type certification basis or other defined airworthiness standard for that AD.
- 4) Reference to the FAA letter (reference and date) that granted this authority to that particular DER.
- 5) A statement as to whether the approval is transferable to a new operator of the affected aircraft.
- 6) DER signature and date.

For ADs that are issued after the initial identification of eligible ADs and authorized DERs is made, the ACO issuing the AD shall determine whether the intent of the AD is to restore the structure into compliance with the airplane type certification basis or other defined airworthiness standard. If the level of safety intended by the AD does not exceed that defined by the type certification basis or other defined airworthiness standard, then delegation of deviations to DERs should be granted to authorized TCH DER's. If a discretionary level of safety is determined to be required by the ACO manager, then delegation to DERs for that AD is not possible.

If delegation is acceptable, a statement similar to the following should be included in the AD:

"Modify/repair the (item) in accordance with the (service document), or in accordance with other data meeting the certification basis of the airplane (or other defined airworthiness standard) approved by the Manager of the () ACO or by a (type certificate product manufacturer) DER authorized to make such findings."

The ACO should monitor and review such approvals ensuring that they continue to achieve the required level of safety imposed by the AD. The ACO must take appropriate action as necessary to correct any approvals which do not achieve the required level of safety including revocation of the approval and delegation if deemed necessary.

Finally, a notice should be issued to inform all aircraft certification engineers and all flight standards aviation safety inspectors of this policy change, and FAA Order 8110.37A and AD Manual FAA-AIR-M-8040.1 should be revised to include this information.

Delegation Oversight System:

Expansion of AMOC approval delegation to the TCH DERs requires an appropriate oversight system. Currently, the oversight systems which are in place are developed at a local level and are based on agreements between the TCHs and the ACOs. With the expansion of delegation of AMOC approvals, the existing oversight processes should be re-evaluated. The team believes that timely reporting of the AMOC approvals to the ACO is essential to maintain the existing level of safety.

The AMOC team does not recommend a specific process and believes that the ACOs are in a better position to develop such a system. However, for the purposes of standardization, certain key features should be common among all oversight processes. It is clear that prior to any increased delegation, a comprehensive oversight system for monitoring TCHs with this authority must be put into place.

Some of the essential features of a comprehensive system are as follows;

- The TCH shall provide the 8110-3 Form to the ACO within 10 working days of the approval or other time agreed upon between the TCH and the cognizant ACO.
- The operators' maintenance program shall include a system for notification of the PMI by the operator of these approvals.
- The PMI should ensure that the system established by the operator is adequate to ensure timely notification.

The AMOC team believes an oversight system with the above features provides adequate means for the ACO's to monitor the AMOC approval activities by the TCH DER's.